



CITY OF AKRON, OHIO  
**POLICE DIVISION**  
MICHAEL T. MATULAVICH, CHIEF OF POLICE

NUMBER P-2008-057	EFFECTIVE DATE March 31, 2008	RESCINDS P-2005-057 Issued 10-3-05
SUBJECT Electronic Control Devices (ECD) Procedure		ISSUING AUTHORITY Chief Michael T. Matulavich

## I. POLICY

Electronic control devices are excellent tools to assist in controlling combative and resistive individuals. Only authorized personnel may carry and utilize such equipment and must do so in conformance with departmental guidelines and any applicable laws. Each application of an ECD is considered a use of force.

## II. DEFINITIONS

- A. Less Lethal – Not intended to, or likely to, cause death or serious physical injury.
- B. Electronic Control Device (ECD) – Less lethal devices designed to affect a subject's motor and sensory nervous system by means of deploying battery powered electrical energy sufficient to cause involuntary muscle contractions and override an individual's voluntary motor responses. The device may also be used in a drive stun mode, whereas the energy is localized and only affects the sensory nervous system.
- C. Objectively reasonable – Cannot be specifically defined, however, officers shall evaluate each situation in light of the known circumstances. These may include, but are not limited to, the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of officers or others, or whether he is actively resisting arrest or merely attempting to evade arrest by flight. *"Reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight."*

## III. PROCEDURE

### A. OPERATIONAL GUIDELINES

- 1. Only officers who have satisfactorily completed the approved training course shall be authorized to carry an ECD. This includes annual recertification and downloading of data port information.
- 2. Officers will carry the ECD in a department approved holster and consistent with department training.

3. Officers will take all reasonable steps to ensure that all of their issued equipment is functional and in good working order. This includes protecting the ECD from exposure to moisture, dirt, and unreasonable risk of theft.

## B. DEPLOYMENT

1. The ECD may not be used:
  - a. As an investigative tool to threaten or attempt to gain information from a person.
  - b. Against a person already in custody unless physical resistance must be overcome.
  - c. Intentionally to an open wound.
  - d. As retaliation for physical or verbal abuse.
  - e. In an unprofessional manner.
  - f. To demonstrate the device on any person without the authorization of the Training Bureau.
2. The ECD can be used in conjunction with department approved chemical defense sprays.
3. The probes, wires and the individual's body that is between the probes should be avoided during the cycle as the officer may receive some of the same energy as the individual.
4. ECDs may be used:
  - a. When it is objectively reasonable to use less lethal force.
  - b. To display the ECD's test arc or "paint" the subject with the ECD's laser in attempting to gain compliance of the subject where resistance, assault, or violence is reasonably anticipated.
5. Unintentional cartridge discharge – The officer shall submit a confidential detailing the circumstances surrounding the deployment to his supervisor for investigation. The completed investigation will be forwarded to the ECD training instructor.
6. Use of ECD on animals:
  - a. Under some circumstances, a deployment of an ECD may provide a safer option for officers to handle incidents involving animals.

- b. An ECD may be deployed on an animal that presents a threat or that needs to be captured for reasons of public peace or safety, preservation of property, or other legitimate purposes.
- c. When feasible, officers should consider having an Animal Warden available so that tools such as “dog poles” can be used in conjunction with an ECD deployment to improve the chances of successfully controlling an animal.

#### C. OFFICER’S RESPONSIBILITIES

1. Upon use of the ECD with the drive stun technique or with cartridge deployment, the officer shall:
  - a. Request the response of a supervisor.
  - b. Request the response of an EMS Unit.
2. Individuals who have been subjected to the ECD or the probes shall be treated as follows:
  - a. Once in custody, the officer shall advise paramedics or the emergency department staff that the person has been subjected to the ECD and relate the approximate time the action occurred. If the probes penetrate the skin, the puncture sites shall also be brought to the attention of the officer’s supervisor, paramedics or emergency department staff. Only emergency department staff or EMS may remove ECD probes.
  - b. If the probes are no longer attached to the skin, the individual may be released to the custody of the officer after an EMS evaluation.
  - c. An officer shall obtain medical clearance from EMS or the emergency department physician.
3. Complete a Use of Force Report and an Incident Report.
4. The ECD probes are considered hazardous and shall be discarded in the biohazard container that all EMS units carry. Officers must use protective gloves when handling the discharged probes.

#### D. SERGEANT’S RESPONSIBILITIES

1. Respond to scene.
2. Ensure that EMS is responding.

2. On completion of the preliminary investigation, the officer shall inform a victim that:
  - a. He will be contacted if future developments arise in regard to his reported incident;  
and
  - b. If additional information regarding the incident is obtained, that information should  
be phoned into the Detective Bureau desk.

By Order Of,



Michael T. Matulavich  
Chief of Police

Date March 11, 2008